

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

RICHARD L. ARMSTRONG,

Plaintiff,

v.

CIVIL ACTION NO. 1:19CV173  
(Judge Keeley)

ANTERO RESOURCES CORPORATION,

Defendant.

ORDER FOLLOWING SCHEDULING CONFERENCE

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On December 11, 2019, the Court held a scheduling conference at which it took up the pending motion to dismiss filed by the Defendant, Antero Resources Corporation ("Antero") (Dkt. No. 14). For the reasons stated on the record, the Court:

- **GRANTS IN PART** and **DENIES IN PART** Antero's motion (Dkt. No. 7);
- **GRANTS** the plaintiff, Richard L. Armstrong ("Armstrong"), leave to amend his Complaint on or before **Friday, January 10, 2020**, to allege a complete contract;
- **DISMISSES WITHOUT PREJUDICE** Armstrong's breach-of-contract claim based on his alleged right of inspection; and
- **DISMISSES WITH PREJUDICE** Armstrong's independent claims for damages under W. Va. Code § 37C-1-3, breach

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of the duty of good faith and fair dealing, and breach  
of fiduciary duty.

It is so **ORDERED**.

The Court directs the Clerk to transmit copies of this Order  
to counsel of record.

DATED: December 12, 2019

/s/ Irene M. Keeley

IRENE M. KEELEY

UNITED STATES DISTRICT JUDGE